



# Haryana Government Gazette

## EXTRAORDINARY

Published by Authority

© Govt. of Haryana

No. 79-2024/Ext.] CHANDIGARH, FRIDAY, MAY 31, 2024 (JYAISTHA 10, 1946 SAKA)

STATE ELECTION COMMISSION, HARYANA  
NIRVACHAN SADAN, SECTOR- 17, PANCHKULA – 134109

### Order

The 31st May, 2024

### THE HARYANA PANCHAYATI RAJ ELECTION EXPENDITURE (MAINTENANCE AND SUBMISSION OF ACCOUNTS) ORDER, 2024

**No. SEC/3E-III/2024/435A.**— Whereas the superintendence, direction and control of all elections to Panchayats in the State of Haryana are vested in the State Election Commission, Haryana by the Constitution of India and the Haryana Panchayati Raj Act, 1994 (Haryana Act 11 of 1994) :

AND WHEREAS the State Election Commission being deeply aware of the increasingly vitiation of roll of unaccounted financial resources in election and the fragility of existing law in curbing such vitiation, and to render the accounts of election expenses, it is necessary and expedient to provide, in the interest of purity of elections to the Panchayati Raj Institutions namely, Gram Panchayats, Panchayat Samitis and Zila Parishads in the State of Haryana and for the conduct of such elections in a fair and efficient manner, ways and means to render the accounts of expenditure at an election by the contesting candidates in relation thereto and for matters connected therewith;

NOW, THEREFORE, in exercise of the powers conferred under Article 243K of the Constitution of India and Section 212 of The Haryana Panchayati Raj Act, 1994 (Haryana Act No.11 of 1994) and all other powers enabling it in this behalf, the State Election Commission, Haryana hereby makes the following Order:-

1. **Short title, extent, application and commencement:-**

- (1) This Order may be called the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of accounts) Order, 2024.
- (2) It shall extend to the whole of Haryana state in relation to elections in all Panchayati Raj Institutions.
- (3) It shall come into force on the date of its publication in the Haryana Government official Gazette which date is hereinafter referred to the Commencement of this order.

(1471)

## 2. **Definition and Interpretation:-**

- (1) In this order unless the context otherwise requires:-
  - (a) “Act” means the Haryana Panchayati Raj Act, 1994 (Haryana Act No.11 of 1994).
  - (b) “Election Expenditure” means any expenditure incurred or authorized by a candidate or his election agent in connection with the election between the dates on which he has been nominated and the date of declaration of results thereof, both days inclusive;  
 \*Provided that any expenditure made by the candidate on material which may have been produced before filling of nomination if used after filing nomination by the candidate shall be included in the election expenditure of the candidate.
  - (c) “Panchayati Raj Institutions” means an Institution of Self Government constituted under Article 243B for the rural areas and includes Gram Panchayat, Panchayat Samiti and Zila Parishad.
  - (d) “Rule” means the Haryana Panchayati Raj (Elections) Rules, 1994.
  - (e) “Section” means the Section of the Haryana Panchayati Raj Act, 1994.
  - (f) “State Election Commission” means the State Election Commission, Haryana constituted under Article 243K of the Constitution read with section 212 of the Haryana Panchayati Raj Act, 1994;
  - (g) “sub-paragraph” means a sub paragraph of the paragraph in which the word occurs; and
- (2) Words and expressions used but not defined in this Order but defined in the Representation of the People Act, 1950 or Rules made thereunder or in the Representation of People Act, 1951 or the Rules made thereunder or the Haryana Panchayati Raj Act, 1994 or the Rules made thereunder shall have meaning respectively assigned to them in these Acts and Rules.
- (3) In the absence of such definition the Punjab General Clauses Act 1898, (Punjab Act No.1 of 1898) shall as far as may be, apply in relation to the interpretation of this Order as it applies in relation to the interpretation of a Haryana Act.

3. **Notification by the State Election Commission, Haryana to prescribe the election expenditure limit :-** For the purpose of this Order, the State Election Commission shall notify from time to time the election expenditure limit at an election to be incurred by a candidate or his authorized election agent.

4. **Maintenance of election expenditure account :-** For the purpose of this Order, every contesting candidate at an election shall have to maintain day to day election expenditure account in accordance with the procedure laid down in Para 5 of this Order.

5. The Election expenditure shall be maintained in accordance within the procedure laid down below :-

- (1) A register in a standard proforma as shown in annexure I to this Order shall be issued to each candidate by the concerned Returning Officer immediately after his nomination for keeping the day to day record of expenditure.
  - (2) The register shall be duly authenticated by the concerned Returning Officer at the time of issuance.
  - (3) All day to day accounts shall be faithfully recorded in this register and in no other document, by the candidate or his agent authorized by him in this behalf.
  - (4) All documents such as vouchers, receipts, acknowledgments etc., in support of the expenditure incurred shall be maintained in the correct chronological order and submitted along with the aforesaid register.
  - (5) (a) The day to day account maintained in the aforesaid register along with the supporting documents shall be made available, for inspection at any time during the process of election by the Returning Officer, Deputy Commissioner-cum-District Election Officer (Panchayat) or Election Expenditure Observer appointed by the Commission or any other authority nominated by the State Election Commission in this behalf.  
 (b) Failure to produce this register on demand by the authority as mentioned in sub-para (a) above will be considered as a major default.
6. (a) Each contesting candidate shall also maintain account of election expenditure in the proforma as per annexure –II to this Order for showing the total expenditure on various items as listed therein and shall, within 30 days from the date of declaration of the result of the election lodge with the Deputy Commissioner-cum-

District Election Officer (Panchayat) or any other officer as specified by the State Election Commission, in duplicate an account of election expenses which shall be a true copy of the account maintained by him or by his election agent in the proforma at Annexure-II. The Deputy Commissioner-cum-District Election Officer (Panchayat) shall retain one copy of the account of election expenses and the second copy shall be submitted to the deciding authority (as prescribed in Para 11).

(b) The Deputy Commissioner-cum-District Election Officer(Panchayat) or the officer specified in sub-para (a) above shall, within 7 days from the date on which the account of election expenses has been lodged by a candidate under sub-para (a) above, cause a notice to be affixed to the notice board of his office specifying:-

- (i) the date on which the account has been lodged;
- (ii) the name of the candidate; and
- (iii) the time and place at which such accounts can be inspected.

(c) Any person will be entitled to inspect any such account on payment of a fee of Rs. 5/- . Further on payment of such fee as may be fixed by the State Election Commission, Haryana in this behalf will also be entitled to obtain attested copies of such account or of any part thereof.

7. (a) While lodging the account of election expenditure, the candidate shall file the prescribed register as a part of the record.

(b) Each candidate while lodging the returns of his election expenditure shall also file an affidavit on oath as in annexure III that the expenditure shown as nil, if any, on items listed in the proforma or left blank therein, has not been incurred by him. The affidavit will also clearly state that all election expenditure on listed items relating thereto has been completely and unexceptionally included in the return and nothing has been left to be disclosed.

8. A register in a standard proforma as shown in Annexure-I, Proforma as at Annexure-II and specimen of affidavit on oath as in Annexure-III to this Order shall be issued to each Candidate by the Returning Officer (Panchayat) after his nomination for keeping the day to day account of expenditure and for showing the total expenditure on various items.

9. Since, the return of election expenditure filed by a candidate has to reflect "correct" account of "all" election expenses, the Deputy Commissioner-cum-District Election Officer (Panchayat) or the officer specified in sub-para (a) of para 6 above before accepting the account of the candidate as being in accordance with the manner prescribed, shall conduct such enquiry as he deems necessary, with reference to the documents filed before him and as verified by him through an appropriate enquiry that the statement of accounts is in the manner prescribed.

10. The State Election Commission intends to super-check the authenticity of the returns filed through the above procedure and shall hold the candidate personally responsible for any lapse or misrepresentation.

#### 11. Disqualification for failure to lodge account of election expenses. :-

(a) Competent Authority for passing disqualification orders, Appellate Authority & Revising Authority in respect of candidates who have contested elections for the seats/posts of Panches, Sarpanch of a Gram Panchayat, Member, Panchayat Samiti & Member, Zila Parishad and have failed to lodge an account of election expenses within the stipulated time and in the manner required under these orders shall be as under:-

Sr. No.	Seat/Post	Authority for passing disqualification order	Appellate Authority	Revising Authority
1.	Panch	Sub Divisional Officer (Civil)	Deputy Commissioner-cum-District Election Officer concerned	Divisional Commissioner concerned
2.	Sarpanch/ Member, Panchayat Samiti/Member, Zila Parishad	Deputy Commissioner-cum-District Election Officer concerned	Divisional Commissioner concerned	State Election Commissioner

- (b) Competent Authority having powers of disqualification shall pass an order of disqualification if he/she is satisfied that a person:-
- (i) has failed to lodge an account of election expenses within the time and in the manner require under this order and
  - (ii) has no valid reason or justification for the failure to submit the account of election within prescribed time, the Sub-Divisional Officer (Civil) and the Deputy Commissioner-cum-District Election Officer (Panchayat) concerned, as the case may be, shall by order published in the official Gazette, declare him/her to be disqualified and may such person shall be disqualified for a period of five years from the date of the order.
- (c) Any candidate aggrieved with the disqualification orders passed by the disqualifying authority, may file an appeal before the Appellate Authority within a period of one month from the issuance of order, who shall decide the same within one month and will either confirm such order or set aside or pass such other order as he may deem fit.
- (d) If any candidate is still aggrieved by the orders of Appellate Authority, he/she may file revision before the Revising Authority within a period of 15 days from the orders of Appellate Authority who shall decide within one month and will either confirm the orders passed by the Appellate Authority or set aside or pass such other orders as he may deem fit. The order passed by the Revising Authority shall be final.
12. The directions contained in this order are mandatory and cannot be relaxed or modified in any manner without prior written approval of the State Election Commission.
13. Power of the State Election Commission to issue instructions and directions:-
- The State Election Commission may issue instructions and directions:-
- (a) for the clarification of any of the provisions of this order.
  - (b) for the removal of any difficulty which may arise in relation to the implementation of any such provision; and
  - (c) In relation to any matter with respect to the maintenance and submission of election expenditure return, by the contesting candidates, for which this Order has no provision or has insufficient provision, and the directions in the opinion of the State Election Commission are necessary for the smooth and orderly conduct of elections.
14. This Order may be given wide publicity for information of all concerned.
15. All orders and instructions issued in the matter prior to these orders shall stand repealed from the issuance of these orders. All the pending matters regarding election Expenditure statement regarding general elections of Panchayati Raj Institutions held in October-November, 2022 may be decided according to these instructions.

Panchkula:  
The 30th May, 2024.

DHANPAT SINGH,  
State Election Commissioner, Haryana.

## ANNEXURE – 1

## PROFORMA FOR THE SUBMISSION OF ELECTION EXPENDITURE

Name of the Candidate :

Name of the political party, if any :

Constituency from which contested :

Date of declaration of result :

(DAY TO DAY ACCOUNT)

Date of Expenditure	Nature of Expenditure	Amount of ----- Paid	Expenditure ----- Outstanding	Date of payment	Name and address of Payee	Serial No. of Voucher in case of amount paid	Serial No. of Bill in case of an amount out standing is	Name and address of person to whom the amount out- statnding is payable	Remarks
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.

Certified that this is a true copy of the  
Account kept by me/my election agent.

Signature of the contesting  
Candidate.

## ANNEXURE-II

**ABSTRACT STATEMENT OF ELECTION EXPENSES**

Item of Expenditure	Quantity/ number	Name of person/ Political Party/ Body/ Association Incurring or Authorising the Expenditure	Amount of Expendi- ture	Dates(s) of payment	Mode of payment	Evidence of payment Enclosed with the Account	Remarks		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.

- 01 Cost of nomination forms.
- 02 Expenditure on security deposit
- 03 Expenditure on purchase of copies of electoral rolls.
- 04 Expenditure on hiring of campaign offices.
- 05 Expenditure on printing of manifestos
- 06 Expenditure on printing of personal history
- 07 Expenditure on printing of posters
- 08 Expenditure on printing of handbills
- 09 Expenditure on pasting of posters
- 10 Expenditure on distribution of handbills
- 11 Expenditure on writing of wall writings
- 12 Expenditure on publication for advertisements
- 13 Expenditure on propaganda for public meetings
- 14 Hiring charges on places for public meetings
- 15 Hiring charges of pendals etc. for public meetings
- 16 Hiring Charges for loud-speakers for public meetings
- 17 Hiring charges for photo-graphers for public meetings
- 18 Expenditure on production and playing of vedio cassettes.

- 19 Expenditure on production and playing of audio cassettes.
- 20 Visits of VIPs
- 21 Expenditure on construction of gate and arches
- 22 Hiring charges and POL on vehicle used by the candidate
- 23 Hiring charges and POL on vehicle used by Election agent
- 24 Hiring Charges and POL on vehicle used by polling agent
- 25 Hiring charges and POL on vehicles used by counting agents
- 26 Remuneration/ cost of refreshment given to election agent
- 27 Remuneration/ cost of refreshment given to polling agents.
- 28 Remuneration/ cost of refreshment given to counting agents
- 29 Remuneration/ cost of refreshment to house to house workers
- 30 Expenditure on travelling to party head office by public transport
- 31 Misc. expenses (other than those listed above)

Signature of the contesting candidate

- N.A. 1. This proforma must be accompanied by an affidavit. No return of expenditure will be accepted as complete without the affidavit.
2. The account shall be countersigned by the candidate if it is lodged by his election agents and should be certified by the candidate to be correct copy of the account kept.

#### **ACKNOWLEDGEMENT**

The account of the election expenses in respect of \_\_\_\_\_ (candidate) from \_\_\_\_\_ (Gram Panchayat/Panchayat Samiti/Zila Parishad) on his behalf on \_\_\_\_\_ (Date has been received by me today the \_\_\_\_\_ (Date) of \_\_\_\_\_(Month) \_\_\_\_\_ (Year).

District Election Officer

District \_\_\_\_\_

**ANNEXURE –III****Form of Affidavit**

Before the Deputy Commissioner-cum-District Election Officer (Panchayat) \_\_\_\_\_ (District)/ Returning Officer for \_\_\_\_\_ Gram Panchayat/Panchayat Samiti/Zila Parishad ward in the District of \_\_\_\_\_.

Affidavit of Shri \_\_\_\_\_, S/o \_\_\_\_\_.

I \_\_\_\_\_, Son/Wife/ Daughter of \_\_\_\_\_ aged \_\_\_\_\_ years \_\_\_\_\_ R/o \_\_\_\_\_ do hereby solemnly and sincerely state and declare as under:-

(1) That I was a contesting candidate at the general election/ bye-election to the Gram Panchayat/Panchayat Samiti/Zila Parishad of \_\_\_\_\_ from \_\_\_\_\_ ward. The result of which was declared on \_\_\_\_\_.

(2) That I/My election agent kept a separate and correct account of all expenditure in connection with the above election incurred or authorized by me or by my election agent between \_\_\_\_\_ (the date on which I was nominated) and the date of declaration of the result thereof, both days inclusive.

(3) That the said account was maintained in the proforma devised by the State Election Commission for the purpose and a true copy thereof is annexed hereto with the supporting vouchers/ bills mentioned in the said account.

(4) That the account of my election expenditure as annexed hereto includes all items on election expenditure incurred or authorized by me or by my election agent and nothing has been concealed or withheld/ suppressed there from.

(5) That the statement in the foregoing paragraphs (I) to (4) are true to my personal knowledge, that nothing is false and nothing material has been concealed.